

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARNOLD HENRY,

Plaintiff,

v.

KYLE MIHM, *et al.*,

Defendants.

Case No. 22-cv-12830

Honorable Robert J. White

Magistrate Judge Elizabeth A. Stafford

ORDER REGARDING EVIDENTIARY HEARING

On May 16, 2025, the Court held a status conference about the evidentiary hearing scheduled for June 17, 2025. As described in the Court's May 1, 2025, order, the scope of the hearing will be limited to Defendant Kyle Mihm's personal culpability for failing to preserve the video footage of the incident at issue and the factors relevant to the appropriate sanctions under Federal Rule of Civil Procedure 37(e). See ECF No. 108.

The Court also **GRANTED** Plaintiff Arnold Henry's oral motion for a writ of habeas corpus ad testificandum to appear at the evidentiary hearing. That order will issue separately.

By June 10, 2025,¹ the parties must exchange witness lists and exhibits. On that date, they must also email electronic copies of the witness lists and exhibits to the Court at: efile_stafford@mied.uscourts.gov. If there are no objections to exhibits, they will be admitted. By June 12, 2025, the parties must exchange any supplemental witness lists and exhibits. And by June 13, 2025, the parties must exchange, and email finalized witness lists and exhibits, as well as any objections, to the Court in the manner described above.

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

Dated: May 19, 2025

NOTICE TO PARTIES ABOUT OBJECTIONS

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling**

¹ All deadlines in this order must be made by the close of business on the date specified.

remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.” E.D. Mich. LR 72.2.

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court’s ECF System to their email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 19, 2025.

s/Davon Allen
DAVON ALLEN
Case Manager